

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

INTERNET PATENTS CORPORATION,

Plaintiff,

No. C 12-05035 JSW

v.

ACTIVE NETWORK, INC.,...

Defendant.

**ORDER TO SHOW CAUSE RE
DISMISSAL**

In a related matter pending before this Court, Case No. 12-5036 JSW, the Court has dismissed the suit based on the finding that Plaintiff's claims fail as a matter of law because the asserted patent, United States Patent No. 7,707,505 ("the '505 Patent") entitled "Dynamic Tabs for a Graphical User Interface" is invalid under 35 U.S.C. § 101 for lack of patent-eligible subject matter.

It "is the duty of the court to dismiss a patent infringement suit whenever it appears that the patent is invalid." *Barkeij v. Lockheed Aircraft Corp.*, 201 F.2d 1, 2 (9th Cir. 1954) (citations omitted). Accordingly, this Court issues Plaintiff this Order to Show Cause in writing why this related matter premised upon the same patent should not be dismissed. Plaintiff shall file a response, not to exceed 10 pages, by no later than October 4, 2013. Should Defendant elect to file a reply, it shall be due no later than October 11, 2013.

IT IS SO ORDERED.

Dated: September 24, 2013


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

